

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

SPIRE STL PIPELINE LLC,	)	
	)	
Plaintiff,	)	
	)	Consolidated Case
v.	)	No. 4:18 CV 1327 RWS / DDN
	)	
3.31 ACRES OF LAND, et al.,	)	
	)	
Defendants.	)	

**SECOND MEMORANDUM AND ORDER  
GRANTING PRELIMINARY INJUNCTION**


This matter is before the Court on plaintiff's second motion for preliminary injunction. The Court referred this matter to United States Magistrate Judge David D. Noce for a report and recommendation on all dispositive matters, pursuant to 28 U.S.C. § 636(b).

On March 5, 2019, following a hearing on March 1, Judge Noce filed his Report and Recommendation that the motion of plaintiff Spire STL Pipeline LLC be granted. No objections have been filed. After reviewing the Report and Recommendation, the Court adopts the findings of fact and conclusions of law set out in the Report and Recommendation.

**IT IS HEREBY ORDERED** that the Report and Recommendation of the magistrate judge, filed on March 5, 2019 (Doc. 303), is adopted and sustained.

**IT IS FURTHER ORDERED** that plaintiff's second motion for preliminary injunction (Doc. 278) is granted. Plaintiff's authority under the Natural Gas Act, 15 U.S.C. § 717f(h), to condemn the parcels of property to be acquired by eminent domain as described by plaintiff in Cases 4:18 CV 1846, 4:18 CV 1848, 4:18 CV 1850, 4:19 CV 85, 4:19 CV 86, and 4:19 CV 92 is hereby confirmed.

**IT IS FURTHER ORDERED** that plaintiff may take physical possession of the subject parcels of property and may begin construction of the subject pipeline as soon as it deposits with the Clerk of this Court a surety bond in the amount of \$225,000.00 (approximately 1.5 times the total value of plaintiff's estimate of just compensation for the subject parcels). This taking is subject to the previously-filed stipulations of plaintiff with pipeline, utility, and municipal interests, as well as any future stipulations plaintiff may enter into and file with this Court.

  
UNITED STATES DISTRICT JUDGE

Dated this 15th day of March, 2019.